



Saint Paul Planning Commission

City Hall Conference Center Room 40
15 Kellogg Boulevard West

Steering Committee Meeting – 8:00 a.m., Room 41

Christopher B. Coleman,
Mayor

Agenda

Saint Paul
Planning Commission

October 28, 2011
8:30 – 11:00 a.m.

Chair
Jon Commers
First Vice Chair
Barbara A. Wencil
Second Vice Chair
Paula Merrigan
Secretary
Anthony Fernandez

I. Approval of minutes of October 14, 2011

II. Chair's Announcements

III. Planning Director's Announcements

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

NEW BUSINESS

311-282-542 Catholic Charities – Modification of Conditional Use Permit for overnight shelter (ZF# 10-939-012) to extend the months of operation. 215 Old 6th Street, NE corner at Main. (*Luis Pereira, 651/266-6591*)

#11-282-365 Fort Road Coffee Company – Rezoning from B1 Local Business to T2 Traditional Neighborhood. 1518 Randolph Avenue, SE corner at Saratoga. (*Sarah Zorn, 651/266-6570*)

#11-281-220 Wulff Family Mortuary – Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking. 1485 White Bear Avenue N, Between White Bear Avenue and Flandrau Street. (*Penelope Simison, 651/266-6554*)

#11-285-730 Wulff Funeral Home – Variance of VP front yard setback requirement for 1756 Nebraska and 1755 Nevada. 1485 White Bear Avenue N, between White Bear Avenue and Flandrau. (*Penelope Simison, 651/266-6554*)

V. Comprehensive Planning Committee

VI. Neighborhood Planning Committee

VII. Transportation Committee

Transportation Vision for Generations – Approve resolution endorsing the Transportation Committee's comments to the Mayor. (*Allen Lovejoy, Public Works, 651/266-6226*)

Pat Connolly
Gene Gelgelu
Bree Halverson
Richard Kramer
Gaius Nelson
Christopher Ochs
Trevor Oliver
Julie Perrus
Marilyn Porter
Elizabeth Reveal
Anthony Schertler
Robert Spaulding
Terri Thao
Jun-Li Wang
Daniel Ward II
David Wickiser

Planning Director
Donna Drummond

Raymond Avenue Traffic Calming Project – Approve resolution recommending the project to the Mayor and City Council (*Paul St. Martin, Public Works, 651/266-6118*)

Griggs Bikeway – Approve resolution recommending the project to the Mayor and City Council. (*Paul St. Martin, Public Works, 651/266-6118*)

VIII. Transitway Impacts Research Program – Informational presentation by Jan Lucke and Dawn Spanhake, Center for Transportation Studies, University of Minnesota.

IX. Communications Committee

X. Task Force Reports

XI. Old Business

XII. New Business

XIII. Adjournment

Information on agenda items being considered by the Planning Commission and its committees can be found at www.stpaul.gov/ped, click on Planning.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.

**Saint Paul Planning Commission &
Heritage Preservation Commission**
MASTER MEETING CALENDAR

WEEK OF OCTOBER 24-28, 2011

Mon (24) _____

Tues (25) _____

4:00- **Comprehensive Planning Committee**
5:30 p.m. (*Penelope Simison, 651/266-6554*)

HAS BEEN CANCELLED

Weds (26) _____

Thurs (27) _____

Fri (28) _____

8:00 a.m. **Planning Commission Steering Committee**
(*Donna Drummond, 651/266-6556*)

Room 41 City Hall
Conference Center
15 Kellogg Blvd.

8:30- **Planning Commission Meeting**
11:00 a.m. (*Donna Drummond, 651/266-6556*)

Room 40 City Hall
Conference Center
15 Kellogg Blvd.

Zoning..... SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

NEW BUSINESS

311-282-542 Catholic Charities – Modification of Conditional Use Permit for overnight shelter (ZF# 10-939-012) to extend the months of operation. 215 Old 6th Street, NE corner at Main. (*Luis Pereira, 651/266-6591*)

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#11-281-220 Wulff Family Mortuary – Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking. 1485 White Bear Avenue N, Between White Bear Avenue and Flandrau Street. (*Penelope Simison, 651/266-6554*)

#11-285-730 Wulff Funeral Home – Variance of VP front yard setback requirement for 1756 Nebraska and 1755 Nevada. 1485 White Bear Avenue N, between White Bear Avenue and Flandrau. (*Penelope Simison, 651/266-6554*)

Transportation Committee..... Transportation Vision for Generations – Approve resolution endorsing the Transportation Committee’s comments to the Mayor. (*Allen Lovejoy, Public Works, 651/266-6226*)

Raymond Avenue Traffic Calming Project – Approve resolution recommending the project to the Mayor and City Council. (*Paul St. Martin, Public Work, 651/266-6118*)

Griggs Bikeway – Approve resolution recommending the project to the Mayor and City Council. (*Paul St. Martin, Public Work, 651/266-6118*)

Informational Presentation.... Transitway Impacts Research Program – Informational presentation by Jan Lucke and Dawn Spanhake, Center for Transportation Studies, University of Minnesota.

**Saint Paul Planning Commission
City Hall Conference Center
15 Kellogg Boulevard West**

Minutes October 14, 2011

A meeting of the Planning Commission of the City of Saint Paul was held Friday, October 14, 2011 at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Halverson, Perrus, Reveal, Thao, Wang, Wencil; and
Messrs. Commers, Connolly, Fernandez, Gelgelu, Kramer, Nelson, Ochs, Oliver,
Schertler, Spaulding, Ward, and Wickiser.

Commissioners Absent: Mmes. *Merrigan, and *Porter.
*Excused

Also Present: Donna Drummond, Planning Director; Lucy Thompson, Patricia James, Kate Reilly, Sarah Zorn, Merritt Clapp-Smith, Luis Pereira, Anton Jerve, Ryan Kelley, Martin Schieckel, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes September 30, 2011.

MOTION: *Commissioner Ward moved approval of the minutes of September 30, 2011. Commissioner Thao seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Commers announced that according to the by-laws of the commission the election for officers will be held in January 2012 and he will be forming a nominating committee in the coming weeks. He also announced that when his term expires at the end of the year he will be leaving the Commission. Anyone interested in serving on the nominating committee should let him know. Interest in serving as an officer of the commission would preclude serving on the nominating committee, so he is looking for commissioners not interested in serving as an officer but who have interest in the long term leadership and direction of the commission.

III. Planning Director's Announcements

Donna Drummond reported that the City Council upheld the appeal of the Union Park District Council regarding the 650 Pelham site plan. The reasoning seemed to be that an industrial use there could be appropriate if improvements were made to the site plan. The City Council also approved a resolution to change the name of the District 6 North End Planning district to North End/South Como, which is more descriptive of the area.

IV. Zoning Committee

STAFF SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

One item came before the staff Site Plan Review Committee on Tuesday, October 11, 2011:

- Nova Academy at 1455 Victoria Way, a new school building and parking lot.

NEW BUSINESS

11-278-491 Wings Financial Credit Union – Conditional Use Permit to provide off-street parking that exceeds the permitted maximum, and variance of requirement that surface parking and entrance drives occupy no more than 50% of the street frontage. 1798 7th Street West, NE corner of W 7th and Montreal. (*Merritt Clapp-Smith, 651/266-6547*)

Commissioner Nelson reported that the committee addressed two key factors regarding the conditional use permit. One was the unique nature of the site and the other was whether a need to go over the maximum number of parking spaces had been established. The applicant testified that it would be easier to market the vacant space in their building if there was more parking available, but there were no design or traffic or utilization studies of the existing parking lot. Therefore the Committee concluded that the applicant did not prove the need for additional spaces beyond the 170% maximum provided by the zoning code. The resolution before the Commission is slightly modified from the original staff report to reflect the committee's discussion, and the committee moved to deny the conditional use permit and variance.

Commissioner Perrus said that she had some concerns about the language in the original staff report, but the updated resolution clarifies the rationale for the denial. So she will be voting to deny the conditional use permit and variance.

Commissioner Wencil agreed with Commissioner Perrus's comments and stated that she also will be changing her vote to yes.

Upon a question by Commissioner Spaulding, Commissioner Perrus explained that what was missing in the staff report was the specific rationale for denial, which in the resolution is clearly focused on the demonstration of need. She stated that the applicant has an opportunity to come back and reapply and do a better job of explaining that need. In their testimony and in their application they were not clear about needing that parking and the lot currently does not seem to be more than 60% occupied at any given time. So there is no immediate need established, and they couldn't project any numbers in way that would demonstrate a need now.

Commissioner Nelson added that this is the first case to come before the commission for a conditional use permit to provide parking beyond what's allowed. As a conditional use permit the standards are different than those for a variance, and the committee wanted to make sure that the resolution was put together in a way that starts to become a standard that can be utilized on subsequent hearings before the Zoning Committee in order to establish a base line of the type of demonstration of need that they would be looking for.

Commissioner Schertler clarified that if the additional parking had been structured, they could add the supply, but not if it's surface parking.

Commissioner Reveal asked if they were arguing that they needed the additional parking in order to attract additional tenants for the building.

Commissioner Perrus said that, that seemed to be what they were saying, but they were not reflecting that in their documentation.

Commissioner Reveal asked if economic necessity defined by potential tenants or the number of jobs coming in would be a sufficient need demonstration.

Commissioner Perrus said that in some instances economic consideration is something taken into account. It can not be the only reason to grant a permit or variance. Here it wasn't about the economics of marketing the site, it was about the need for additional parking and if they can't say how many employees are going to be in the space or what the actual need is currently on the site, then it is hard to prove that there is an economic consideration involved in this decision.

Commissioner Spaulding said the staff report mentioned demonstration of need through a two step effort: the first being a Travel Demand Management Plan, and the second to demonstrate how that is still not sufficient, before reconsidering the conditional use permit. He asked about the role played by a Travel Demand Management Plan in code as well as in the revised resolution.

Merritt Clapp-Smith, PED staff, explained that the mention of the Travel Demand Management Plan (TDM) is an example of the type of step an applicant might take, it is not saying that it is a step that applicants must take. TDM plans can be useful in assessing the existing pattern of use and the current or potential ability to move trips to car sharing, transit, walking or biking. So there are different ways to address high demand situations before expanding the parking. It would be up to the Planning Commission to determine if that threshold has been met.

MOTION: *Commissioner Nelson moved the Zoning Committee's recommendation to deny the conditional use permit and variance. The motion carried unanimously on a voice vote.*

#11-273-381 Community Dental Care – Conditional Use Permit to provide off-street parking that exceeds the maximum permitted for a dental clinic. 1236 Arcade Street, NE corner at Hawthorne. (Kate Reilly, 651/266-6618)

Commissioner Nelson said this case is similar to the previous case because the applicant has applied for a conditional use permit to exceed the maximum number of permitted parking spaces. Part of their testimony went toward the demonstration of need. They did parking counts over a period of time, demonstrating a need for additional parking. Some of the clientele that they serve need interpreters. The interpreters do not drive with the clients, so there are multiple people coming for one appointment. The applicants went through a good demonstration with regard to their demonstration of need for additional parking beyond the 170% provided in the code.

Commissioner Spaulding asked what was done along the lines of a TDM plan or if other alternatives were explored.

Commissioner Nelson said that what was received was the study done regarding the number of parking spaces available and the number of clients seen over a period of time. There was not a formal travel demand study. That has not been called out as a requirement, it is simply a suggested method for being able to prove a need for additional spaces.

Commissioner Schertler said that every time someone comes in and exceeds the parking maximum, there is going to be a discussion about need, and that's going to consume a lot of staff time. He expressed concern about the larger picture of reduced City resources and placing greater demands on staff time with these kinds of judgment calls.

Commissioner Ward agreed with Commissioner Schertler that there will be a lot more of these cases, and a lot of the decisions will be based on individual use of space and need, as well as what the community character is.

Commissioner Spaulding asked Chair Commers to explain why he voted against the conditional use permit.

Chair Commers said that all of the questions that are on the table now were on his mind during the meeting, and the main nature of his objection was that the City put in place changes to the code in terms of parking requirements after a very deliberate, data-driven process. As reflected by the discussion this morning, he was concerned that the first tests of the parking maximum portion of the amendments not give too much ground.

MOTION: Commissioner Nelson moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried 17-1 (Spaulding) on a voice vote.

#11-277-446 HandyHelp LLC – Conditional Use Permit for group residential housing under Zoning Code Sec. 65.155. 593 Stryker Avenue, NW corner at King Street.
(Luis Pereira, 651/266-6591)

MOTION: Commissioner Nelson moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried unanimously on a voice vote.

Commissioner Nelson announced the items on the agenda for the next Zoning Committee meeting on Thursday, October 20, 2011.

V. Comprehensive Planning Committee

Agricultural Zoning Study – Approve resolution to initiate a study. (Anton Jerve, 651/266-6567)

Commissioner Reveal said that the action for today is the approval of the resolution regarding the Urban Agricultural Zoning Study.

Commissioner Fernandez asked what the study would include.

Commissioner Reveal said that this is in the packet; there is a list on the first page with the issues and sections that have been identified to be included in the study. If there is anything missing let Anton Jerve, PED staff person, know.

Commissioner Ward said one thing that he would add is “bee keeping.” People in his neighborhood are interested in keeping bees for honey production as well as pollination of flowers and other agricultural means.

Chair Commers said that they can procedurally add that.

Commissioner Thao said that at the Comprehensive Planning Committee meeting Mr. Jerve mentioned that there were some tweaks to the language in the resolution.

Anton Jerve, PED staff, explained that there were a few words in the last sentence that says: make amendments to the zoning code that it should be added “pertaining to urban agriculture” to limit the scope.

Commissioner Ochs recognized compost would be part of the study, but recommended including other forms of resource harvesting, such as water harvesting and recycling.

Mr. Jerve said that it could be they would have to keep the study to issues related to the zoning code, some of that may be building code, in terms of harvesting rain water, etc. The committee can discuss it and make recommendations for DSI to consider.

Commissioner Reveal suggested that if commissioners think of other urban agriculture issues, they should let staff know.

MOTION: *Commissioner Reveal moved the Comprehensive Planning Committee’s recommendation to approve the resolution initiating a zoning study. The motion carried unanimously on a voice vote.*

VI. Regional Business Plan and Related Efforts – Informational presentation by Chair Jon Commers.

Chair Commers said he has been working on an effort called “The Minneapolis Saint Paul Metropolitan Business Plan” over the last 15-18 months. It is an effort to better understand the regional economy and how it fits into a larger international context, determine what we’re doing well and what we’re not doing well, and develop strategies to improve the regional economy.

Since 1970 the urbanized territory in our region has grown 50% faster than our population. Fewer than half of our African American and Hispanic students graduate from high school in four-years. At the same time we earn college degrees at the country’s 8th highest rate, 38% have a degree and nearly 70% of us have some credentials beyond high school. In our region wages paid to people working in the strongest traded industry cluster exceed the regional average by 37% and 28% of us work in those kinds of clusters. These seem like disconnected facts, but they are in fact all connected to the story of how our region is doing.

The work of the Metropolitan Business Plan was undertaken with the Brookings Institution as a national partner, which worked with three pilot regions nationally. The work has demonstrated

that metro prosperity depends on effective region scale systems whether it's the labor market or the flow of capital or land use on a larger scale. All of these things really are regional by nature. But the work done at the Planning Commission is not necessarily regional but is municipal in scale, and that work influences the course of action on a regional scale. Metropolitan areas are increasingly the focus of economic development both here and abroad. There is a growing sense nationally and internationally that regions are an effective scale to use for intervention.

Chair Commers talked about the four key economic imperatives used to structure this process. The first is to expand exports and how economic development can be focused more on bringing wealth and capital to a region through trade from this region to areas outside of it. This means creating economic activity that expands outside of the metro and that is the most effective way to create long term jobs that create ripple affects in that locally traded sector. Second is to support the growth of firms that can thrive amid shifting consumer preferences, increasing energy costs, and new regulatory policies associated with climate change. The third is to build on innovations that emerge from both public and private research. And lastly providing a broad base of economic opportunity to citizens producing strong middle class earnings and more income equality. Those are the four key imperatives that every region both here and abroad need to respond to.

The metro scale is the most effective scale for us to address the future, because economic growth generated in metro areas is the combinations of inputs through several systems. There are six categories that Brookings and the three pilot regions put together as layers. They are lenses that need to be looked through to understand how well we are doing or not doing. The six systems or lenses are Industry Clusters, Governance, Human Capital, Information, Innovation and Spatial Efficiency. The region is not uniformly where it needs to be across these six critical systems. The research that he and others undertook for the business plan identified notable strengths in a couple of areas where there are multiple industry clusters that link large and small firms and their workers and investors. Chair Commers also described the key implementation piece of this metro business plan work. Each of the three pilot regions and the seven regions partnering with Brookings to do a second generation of these are tasked with identifying one key intervention that they think would really move the needle on some of the most important areas of challenge for the region. His group, which was public and private, really focused in on this idea of how to better match the assets of a skilled workforce and idea generation with business development.

They are in the process now of exploring the idea of a venture development organization which would address issues where there are a lot of good ideas but not a lot of funding in this market place. The amount of risk capital that's available to early stage businesses has fallen in this region. So the idea of a venture development organization would be to match small entrepreneurs with great ideas with technical assistance and risk capital to move these businesses to a point where they can develop and become more mature and have access to other sources of capital.

Chair Commers concluded by saying we have deep and broad assets in place in this region, with historically strong education, a continued commitment to civic engagement and public work, and a tradition of effective public and private partnerships. However, these assets are not enough to address the four key imperatives. So we have to consider how we use our strengths to develop the next generation of prosperity, not by hoping that our big corporate partners will stay and expand but by seeding the small firms where job creation really takes place. We also need to agree on what are the key inhibitors to future success and use our interventions to solve these issues on a regional scale.

Commissioner Wencel thanked Chair Commers for his presentation and said it gave the commissioners a lot to think about and digest before they can really talk about it.

VII. Neighborhood Planning Committee

Commissioner Wencel announced that the next Neighborhood Planning Committee meeting on Wednesday October 19th has been canceled.

VIII. Transportation Committee

Commissioner Spaulding reported that at their last meeting they discussed the TIGER II applications and there was a presentation and discussion on the Arterial Transitways Corridors Study. They are also seeking a business representative to serve on the Transportation Committee. Interested community members may apply for appointment to the committee, and applications will be accepted through November 14th. Commissioner Spaulding announced the items on the agenda for the next Transportation Committee meeting on Monday, October 17th.

IX. Communications Committee

Commissioner Thao had no report.

X. Task Force Reports

Commissioner Wencel reported that the Near East Side Task Force met on Tuesday and worked through another part of their plan and on Wednesday they had a community meeting with over fifty people. One of the things that was talked about was the interest in organizing a community food co-op. There is a groundswell of people who have come together to work on that.

XI. Old Business

None.

XII. New Business

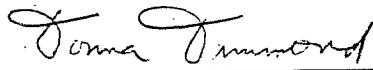
None.

XIII. Adjournment

Meeting adjourned at 9:56 a.m.

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Donna Drummond
Planning Director

Approved _____
(Date)

Anthony Fernandez
Secretary of the Planning Commission

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Donna Drummond
Planning Director

Approved _____
(Date)

Anthony Fernandez
Secretary of the Planning Commission

PED\butler\planning commission\minutes\ October 14, 2011



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SITE PLAN REVIEW COMMITTEE
TUESDAY October 25, 2011
2nd Floor Conference Room
375 Jackson Street, Suite 218

<u>Time</u>	<u>Project Name and Location</u>
9:30	Saint Paul Eye Clinic Parking lot reconstruction 1099 Grand Ave

To Applicants:

You should plan to attend this meeting.

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff. The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

Parking

Parking is available at on-street meters. Some off-street parking spaces are available in our visitor parking lot off of 6th Street at Jackson. To see a map of additional nearby parking ramps go to
<http://www.ci.stpaul.mn.us/depts/dsi/liep/info/location.html>

If you have any questions, please call Mary Montgomery at 651-266-9088 or mary.montgomery@ci.stpaul.mn.us.

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, October 20, 2011 3:30 P.M.
City Council Chambers, Room #300
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF OCTOBER 6, 2011, ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

NEW BUSINESS

- 1 11-282-542 Catholic Charities**
Modification of conditional use permit for overnight shelter (ZF#10-939-012) to extend the months of operation
215 Old 6th St, NE corner at Main
B5
Luis Pereira 651-266-6591

- 2 11-282-365 Fort Road Coffee Company**
Rezoning from B1 Local Business to T2 Traditional Neighborhood
1518 Randolph Ave, SE corner of Saratoga
B1
Sarah Zorn 651-266-6570

- 3 11-281-220 Wulff Family Mortuary**
Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking
1485 White Bear Ave N, between White Bear Avenue and Flandrau Street
B3
Penelope Simison 651-266-6554

- 4 11-285-730 Wulff Funeral Home**
Variance of VP front yard setback requirement for 1756 Nebraska and 1755 Nevada
1485 White Bear Ave N, between White Bear Ave and Flandrau
B3
Penelope Simison 651-266-6554

ADJOURNMENT

ZONING COMMITTEE MEMBERS: Call Patricia James at 266-6639 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: October 21, 2011
TO: Planning Commission
FROM: Zoning Committee
SUBJECT: Results of October 20, 2011 Zoning Committee Hearing

NEW BUSINESS

- | | | <u>Staff</u> | <u>Recommendation
Committee</u> |
|----|--|--------------------------|--|
| 1. | Catholic Charities (11-282-542)
Modification of conditional use permit for overnight shelter (ZF#10-939-012) to extend the months of operation | Approval with conditions | Approval with conditions
(7 - 0) |
| | Address: 215 Old 6th St
NE corner at Main | | |
| | District Comment: District 17 made no recommendation | | |
| | Support: 0 people spoke, 0 letters | | |
| | Opposition: 0 people spoke, 0 letters | | |
| | Hearing: Hearing is closed | | |
| | Motion: Approval with conditions | | |
| | | <u>Staff</u> | <u>Recommendation
Committee</u> |
| 2. | Fort Road Coffee Company (11-282-365)
Rezoning from B1 Local Business to T2 Traditional Neighborhood | Approval | Approval
(7 - 0) |
| | Address: 1518 Randolph Ave
SE corner of Saratoga | | |
| | District Comment: District 15 recommended approval | | |
| | Support: 0 people spoke, 1 letter | | |
| | Opposition: 0 people spoke, 2 letters | | |
| | Hearing: Hearing is closed | | |
| | Motion: Approval | | |

		<u>Recommendation</u>	
		<u>Staff</u>	<u>Committee</u>
3.	Wulff Family Mortuary (11-281-220) Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking	Approval	Approval (6 - 1) (Nelson)
	Address: 1485 White Bear Ave N between White Bear Avenue and Flandrau Street		
	District Comment: District 2 recommended approval		
	Support: 0 people spoke, 2 letters		
	Opposition: 0 people spoke, 2 letters		
	Hearing: Hearing is closed		
	Motion: Approval		

		<u>Recommendation</u>	
		<u>Staff</u>	<u>Committee</u>
4.	Wulff Funeral Home (11-285-730) Variance of VP front yard setback requirement for 1756 Nebraska and 1755 Nevada	Approval with conditions	Laid Over (7 - 0)
	Address: 1485 White Bear Ave N between White Bear Ave and Flandrau		
	District Comment: District 2 recommended approval		
	Support: 0 people spoke, 2 letters		
	Opposition: 0 people spoke, 2 letters		
	Hearing: Hearing is open		
	Motion: Lay over to November 22, 2011		

city of saint paul
planning commission resolution
file number
date

WHEREAS, Catholic Charities, File # 11-282-542, has applied for a modification of their conditional use permit for a temporary overnight shelter (ZF#10-939-012) to extend the months of operation and allow the property to be used as a shelter every day of the month during this period (October 15 to April 30) under the provisions of §61.501 and §61.502 of the Saint Paul Legislative Code, on property located at 215 Old 6th St, NE corner at Main, Parcel Identification Number (PIN) 062822220015, legally described as Riceirvines B1 2542 4554 56 Ex Ely 1o Ft The Sly 2/3 Of Lot 7 Blk 4; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 20, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. Catholic Charities of the Archdiocese of Saint Paul and Minneapolis have operated the Dorothy Day Center at 183 Old 6th St since 1993 as a service center for homeless people. In 2006, the Planning Commission approved a Conditional Use Permit to use the second floor of the Center as an overnight shelter for about 40 homeless women, along with a modification of a distance requirement from both existing emergency housing (Mary Hall, located at 436-438 Main St) and a community residential facility (St. Joseph's Hospital Adult & Adolescent Inpatient Chemical Dependency Program, located at 69 Exchange St W). In 2011, the Planning Commission approved a Conditional Use Permit to permit a temporary overnight shelter use at this property (215 6th St E) for the latter 15 days of each month between January 1-April 30, along with a modification of the distance requirement from the existing overnight shelter for women (Dorothy Day Center), emergency housing (Mary Hall) and community residential facility (St. Joseph's Hospital). The current proposal is to 1) allow 215 Old 6th Street to be used as a temporary overflow shelter for additional days each year (October 15 to December 31), in addition to the currently-permitted January 1- April 30 period; and to 2) permit the use of the property as a temporary overflow shelter every day of the month during the entire period from October 15 to April 30. The net increase for the temporary overnight shelter use would be approximately 135 days each year during the fall-winter months (i.e., 60 days approved in 2010; approximately 195 days proposed now).
2. The proposed extension of the number of days that 215 Old 6th Street could be used as a temporary shelter each year would continue to rely on grant funds from Ramsey County, and approximately 20 - 30 individuals would continue to utilize the building's second floor as an overflow shelter each day during the period between October 15 and April 30. The applicant cites the greater demand for overnight shelter as the reason for this request for the extension of the number of days. Consistent with the 2010 approval, individuals would continue to sleep at 215 Old

moved by _____

seconded by _____

in favor _____

against _____

6th Street during the hours of 7 PM to 7 AM, would continue to use shower and laundry facilities and have meals next door at the Dorothy Day Center, and would continue to be supervised by Dorothy Day staff. The first floor of the 215 6th St E building would continue to be used as an office for Catholic Charities staff.

3. Sec. 65.157 defines overnight shelter as *one (1) main building, or portions thereof, on one (1) zoning lot where persons receive overnight shelter, but are not expected or permitted to remain on a 24-hour-per-day basis.* The use is permitted in the B5 district subject to the following condition: *The facility shall be a minimum distance of six hundred (600) feet from any other overnight shelter, licensed community residential facility, emergency housing facility, shelter for battered persons with more than four (4) adult facility residents, or transitional housing facility with more than four (4) adult facility residents.* While this condition was not met, the Planning Commission did approve a modification of this distance requirement in 2010 with the approval of 215 6th St E to be used as a temporary overnight shelter.
4. §61.501 lists five standards that all conditional uses must satisfy:
 - (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. Policy 3.4 of the Housing Chapter of the Comprehensive Plan calls for the City to “assist in the preservation and production of homeless and supportive housing,” including encouraging non-City funding sources to (continue to) provide resources for supportive and homeless housing.” In addition, Section 91.220(i) of the HUD Consolidated Plan 2010-2014 indicates that the City “will continue to allocate its Emergency Shelter Grant funds to partially fund the operations of agencies that provide homeless prevention services, emergency shelters, transitional housing, and outreach social services to assist homeless individuals and homeless families.” Finally, section 3.3.4 of the Saint Paul Housing Action Plan 2010-2013 included a commitment by the City to “support homeless prevention initiatives such as support for Project Homeless Connect, the Cold-Weather Emergency Overflow Shelter, and the Police Homeless Outreach Project, a street outreach & housing program for chronically homeless residents.” Permitting an extension of the number of days that 215 Old 6th Street can serve as a temporary shelter at is consistent with these City goals.
 - (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met, as the extension of the number of days that 215 Old 6th Street can be utilized as a temporary overflow shelter space will not affect ingress and egress to the site.
 - (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The extension of the number of days that 215 Old 6th Street can be utilized as a temporary overflow shelter space simply allows Catholic Charities to offer the same services for a longer period of time at the pre-existing homeless housing/services campus. The surrounding area is characterized by commercial and institutional uses and will not be adversely affected by the additional days the property is used as a temporary shelter.
 - (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use will occur entirely within the existing structure, and should have no impact on the normal and orderly development and improvement of the surrounding uses.
 - (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met given the Planning Commission approval in 2010 of a modification of the distance requirement between the temporary shelter and the nearby overnight shelter, community residential facility, and emergency housing facility.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Catholic Charities, for a modification of a conditional use permit for temporary overnight shelter (ZF#10-939-012) to extend the months of operation and allow the property to be used as a shelter every day of the month during this period (October 15 to April 30) at 215 Old 6th St is hereby approved, with the following conditions:

1. The temporary overnight shelter use is approved for up to 30 individuals for use every day during the period of October 15 – April 30.
2. In the event that a minor modification of this use is needed by Catholic Charities, no additional fee will be charged for Planning Commission review of the requested minor modification.

city of saint paul
planning commission resolution
file number _____
date _____

WHEREAS, Fort Road Coffee Company, File # 11-282-365, has applied for a Rezoning from B1 Local Business to T2 Traditional Neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 1518 Randolph Ave, Parcel Identification Number (PIN) 102823320021, legally described as Randolph Villas Ex S 6 54/100 Ft Lot 1; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 20, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant has applied to rezone the property from B1 to T2 for the purpose of being classified as a restaurant rather than a coffee shop. A restaurant is not a permitted use in the B1 zone. The applicant is interested in being able to serve soup to customers, which is permitted with a restaurant license that cannot be issued to a coffee shop. Rezoning to T2 will allow the applicant to obtain the required restaurant license and serve food for consumption on site that is not pre-packaged elsewhere.
2. The proposed zoning is consistent with the way this area has developed. The property is located within a small neighborhood node along a mixed use corridor. In addition, the site is two blocks east of the commercial node at Snelling and Randolph and can be considered an extension of that commercial district. The uses permitted in the B1 and T2 districts are very similar in type and intensity, but the T2 district is better suited for commercial areas in close proximity to low density residential.
3. The proposed zoning is consistent with the Land Use Chapter of the Comprehensive Plan. The chapter lists goals of permitting neighborhood serving commercial businesses compatible with the character of Established Neighborhoods (LU1.7, p.10), and supporting a mix of uses along Mixed-Use Corridors (LU1.24, p.14). The District 15 plan summary supports a mix of uses and a pedestrian-friendly street environment in commercial areas, and considers rezoning portions of the Snelling-Randolph commercial area to T2 to support mixed use development and add design standards to limit the visual impact of parking and buildings.
4. The proposed zoning is compatible with the existing commercial and single and multifamily residential uses. The range of businesses permitted under the T2 zoning is compatible with varying intensities of commercial and residential uses. Development standards associated with the Traditional Neighborhood districts will ensure that the pedestrian and transit friendly character, neighborhood scale, and positive commercial/residential interface are maintained.

moved by _____
seconded by _____
in favor _____
against _____

5. Court rulings have determined that "spot zoning" is illegal in Minnesota. Minnesota courts have stated that this term *"applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and creates an island of nonconforming use within a larger zoned district, and which dramatically reduce the value for uses specified in the zoning ordinance of either the rezoned plot or abutting property."* The proposed T2 zoning is compatible with both surrounding uses and zoning, and the general area is already characterized by the presence of a number of small, adjacent districts and parcels of different but compatible zoning designations. Rezoning will not reduce the value of either the rezoned or surrounding properties for allowed uses. The rezoning would therefore not constitute "spot zoning".

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission, recommends to City Council, that the application of Fort Road Coffee Company for a Rezoning from B1 Local Business to T2 Traditional Neighborhood for property at 1518 Randolph Ave be approved.

city of saint paul
planning commission resolution
file number _____
date _____

WHEREAS, Wulff Family Mortuary, File # 11-281-220, has applied for a Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property described as R. F. MARVIN'S ADDITION TO ST PAUL E 4 FT OF LOT 7 AND SUBJ TO ALLEY OVER SE COR LOT 6 BLK 1, PIN 222922140040 (1756 Nebraska) and R. F. MARVIN'S ADDITION TO ST PAUL LOT 25 BLK 1, PIN 222922140056 (1755 Nevada); and

WHEREAS, the Zoning Committee of the Planning Commission, on October 20, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant proposes to construct 24 parking spaces on two parcels, one fronting on Nebraska and the other fronting on Nevada, to serve the funeral home business at 1485 White Bear Avenue. The applicant proposes a front yard setback of 5 feet, on both Nebraska and Nevada. The side yard setback, adjacent to the westerly property line and the R4 district, varies between 21.3 feet and 25.7 feet. Within the side yard setback, the applicant proposes to install landscaping and trees, as well as four shoe-box lights, 18 feet in height, to illuminate the parking facility. A six-foot fence would be erected along the westerly property line.
2. The proposed zoning is consistent with the way this area has developed. Businesses on White Bear historically have provided on-site parking for patrons. The applicant proposes to provide 24 on-site parking spaces on two parcels immediately west of its building, adjacent to the alley between Nebraska and Nevada. The parking would serve its business at 1485 White Bear Avenue.
3. The proposed zoning is consistent with the Comprehensive Plan. White Bear Avenue is classified as an A-minor arterial in the Transportation Plan and as a Mixed-Use Corridor in the Land Use Plan. Mixed-Use Corridors are defined as arterial streets that include vibrant businesses providing goods and services for the community. In addition, the Land Use Plan encourages the enhancement of commercial areas by making them vital and attractive, including changes to existing auto-oriented commercial buildings and areas to minimize impacts on pedestrians. The proposed parking would reduce the incidence of patrons of the funeral home from parking elsewhere and possibly crossing White Bear to access the building.

moved by _____
seconded by _____
in favor _____
against _____

Moreover, the District 2 Greater East Side District Plan (adopted June 24, 2009) includes an Economic strategy intended to encourage assistance to existing businesses and a Transportation strategy that supports parking measures along White Bear that make the street more hospitable for pedestrians. The proposal is also consistent with the intent of the VP vehicular parking district; specifically, "the establishment of off-street parking facilities to be used solely for off-street parking of private passenger vehicles as a use incidental to a principal use. The district will serve a use district which has developed without adequate off-street parking."

4. The proposed zoning is compatible with surrounding uses. Both sides of the White Bear frontage for several blocks on either side of the funeral home, with the exception of the largely residential block immediately to the south between Arlington and Nevada, are developed with business uses that provide on-site parking for patrons.
5. The proposed project is compatible with the dimensional standards for an off-street vehicular parking facility, as outlined in Section 66.703 provided the Planning Commission approves a variance of Sec. 66.703(c):
 - (a) *Lot size.* The lot size conforms to the standard. The two parcels comprising the off-street parking proposed by the applicant total 10,328 s.f., which exceeds the minimum required area of 4,000 s.f. feet. In addition, each of the two parcels conforms to the requirement of a minimum width of 40 feet.
 - (b) *Height of structures.* Not applicable.
 - (c) *Yard setbacks.* The proposed front yard setback does not meet the standard. . The applicant proposes a front yard setback of five feet along both Nebraska and Nevada. The minimum front yard setback in the VP district is four feet, unless the minimum front yard setback of the adjoining district is larger. The adjoining R4 district has a required front yard setback of 25 feet. The applicant is seeking a variance from the required setback.
6. The proposed project is compatible with the required conditions for an off-street vehicular parking facility, as outlined in Section 66.704:
 - (a) *The parking facility shall be accessory to...one or more businesses....* The parking facility is proposed as an accessory use for the funeral home business located at 1485 White Bear Avenue.
 - (b) *The parking facility shall be used solely for the parking of private passenger vehicles and shall not be used as an off-street loading area.* The facility complies with this condition.
 - (c) *No commercial repair work or service work of any kind, nor or the sale and display of goods shall be conducted in the parking facility.* The applicant agrees to this condition.
 - (d) *No signs of any kind, other than signs designating entrances, exits, and conditions of use, shall be maintained on the parking facility.* The facility complies with this condition.
 - (e) *No building, other than a shelter for attendants, shall be erected upon the premises unless specifically approved by the planning administrator during site plan review.* No building is proposed.
 - (f) *The site plan submitted by the applicant conforms to parking requirements as set forth in Section 63.200 and all standards set forth in Section 63.300.* The site plan will be reviewed by City staff to ensure conformance with these code sections.

7. The petition for rezoning was found to be sufficient on September 21, 2011: 19 parcels eligible; 13 parcels required; 14 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission, recommends to City Council, that the application of Wulff Family Mortuary for a Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking for property at 1485 White Bear Ave N be approved..